



Atty. Dkt. No. 059729-0111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazue SAKO

Title: ELECTRONIC TENDER SYSTEM

Appl. No.: 09/472,900

Filing Date: 12/28/1999

Examiner: B. GERHMAN

Art Unit: 2161

*for issue
10.7.02
#71/DDS*

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form SB08 is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of the first action but before the mailing date of either a final action or notice of allowance under the provisions of 37 C.F.R. § 1.97(c), and is accompanied by a statement specified in 37 C.F.R. § 1.97(e).

STATEMENT UNDER 37 C.F.R. § 1.97()

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The document listed on the attached PTO SB08 was cited as being relevant during the prosecution of the corresponding Japanese application. A copy of an English language abstract of the listed documents, if available, is being provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider this document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

It is believed that the instant information disclosure statement is being filed prior to the mailing date of any Notice of Allowance or Final Office Action. However, if this information disclosure statement is filed after the mailing date of the Notice of Allowance or Final Office Action, then applicant(s) hereby request(s) and authorize(s) the PTO to charge the petition fee under 37 CFR 1.17(p) to Deposit Account No. 19-0741.

Applicants respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialled copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date September 25, 2002

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By Ronald Coslick
for / *Ronald Coslick* Aug N° 51,991
Ronald Coslick
Attorney for Applicant
Registration No. 36,489